

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.
Petitioner

v.

MAXELL, LTD.
Patent Owner

Case No. IPR2020-00407
U.S. Patent No. 6,748,317

**PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 6,748,317**

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I. INTRODUCTION

Petitioner Apple Inc. (“Petitioner”) requests an *Inter Partes* Review (“IPR”) of claims 1-3, 5, 10-15, 17, and 18 (collectively, the “Challenged Claims”) of U.S. Patent No. 6,748,317 (“the ’317 Patent”).

II. SUMMARY OF THE ’317 PATENT

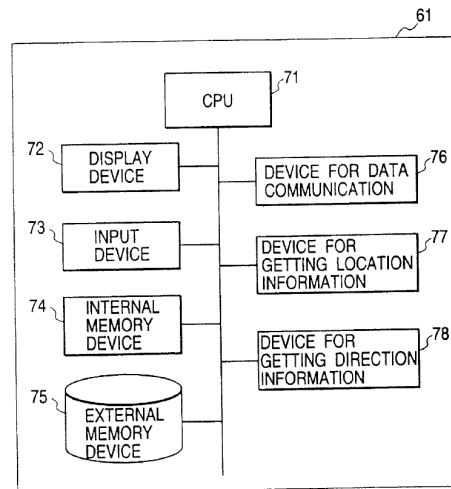
A. Description of the alleged invention of the ’317 Patent

The ’317 Patent generally describes “a portable terminal provided with the function of walking navigation, which can supply location-related information to the walking user.” *’317 Patent* (Ex. 1001), 1:16–18. According to the ’317 Patent, conventional navigation systems at the time of the invention were unsuitable for walking navigation because they were too large to be carried by a walking user, while maps provided by conventional map information services could not be displayed clearly on the small screens of portable telephones. *Id.* at 1:31–38; 1:46–52. The ’317 Patent purports to address these problems by providing a portable terminal that can “supply location information easier for the user to understand during walking.” *Id.* at 2:53–54.

The ’317 Patent describes a “portable terminal . . . with the function of walking navigation [that] is provided with data communication, input, and display devices just like those of ordinary portable telephones and PHS [Personal Handyphone System] terminals, as well as a device for getting location information and a device for getting direction information denoting the user’s present place.” *Id.*

at 2:62–3:1. Figure 10 of the '317 Patent depicts the primary components of the described portable device:

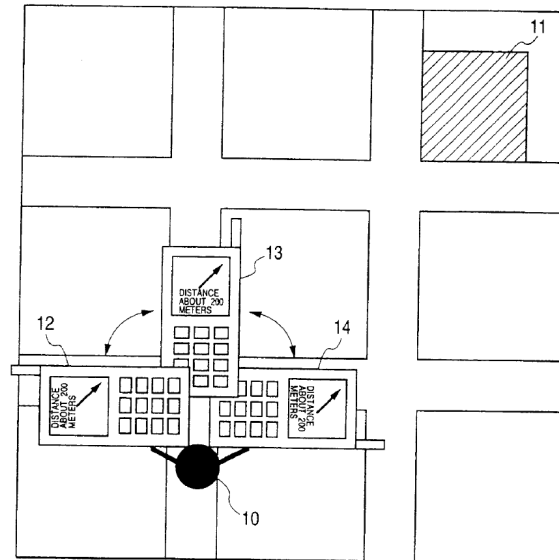
FIG. 10



Id. at Fig. 10. The portable terminal obtains location information and orientation information of the terminal from, for example, “device for getting location information” 77 and “device for getting direction information” 78 as depicted above.

Id. at Abstract, 2:66–3:4, 9:40-63. Based on this information, the portable terminal obtains and displays information such as route guidance for reaching a destination, which in some circumstances may be the location of another portable terminal. *Id.* at Abstract, 3:5–42; 8:45-48; Fig. 5. In one embodiment, the direction of a destination is indicated with an orientation of a line that always points in the direction of the destination. *Id.* at Abstract. Figure 1, below, illustrates this direction-indicating line that adjusts as the device is rotated:

FIG. 1



Id. at Fig. 1; *see also id.* at Figs 3(a) and 3(b).

B. Prosecution history of the '317 Patent

Hitachi filed the Application that resulted in the '317 Patent on May 5, 2003 as US App. No. 10/428,755 and claimed priority to Japanese Patent 11-197010, which was filed July 12, 1999. '317 Patent (Ex. 1001). Petitioner applies July 12, 1999 as the priority date for the Challenged Claims, but reserves the right to challenge priority in this or any other proceeding.

The Examiner rejected all pending claims of the application that resulted in the '317 Patent under the non-statutory doctrine of double patenting as obvious in view of U.S. Patent No. 6,430,498 (the "'498 Patent") (Ex. 1039). '317 Patent File

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